

# PETITION FOR ZONING VARIANCE 85-113-SPHA

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.2(b)-(c) to permit 896 square feet of signage in lieu of 442 square feet and variance from Section 413.2(f) to permit 1.0 square feet of signage in lieu of 100 feet (two sided signs 7 feet x 14 feet).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

The topography of the site is below the grade of Reisterstown Road and the improvements thereon are obscured by the topography. The signs as petitioned were the subject of a hearing on a Petition for Special Exception and the dimensions were approved by the order of the Deputy Zoning Commissioner.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney for Petitioner:  
Julius W. Lichter  
Steinberg, Lichter, Coleman & Rogers  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney's Telephone No.: 321-0600

Legal Owner(s):  
C-F Properties Partnership  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
Jerome Fader, Partner  
9428 Reisterstown Road  
Garrison, MD. 21055 363-6500

ORDERED By The Zoning Commission, of Baltimore County, this 11th day of September, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of October, 1984, at 10:00 o'clock A.M.

Cal Jahn  
Zoning Commissioner of Baltimore County.

(over)

# PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 5007 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to Case 84-50X to permit sale of used cars which have been leased pursuant to the principal use for automobile rental as an accessory use thereto under the definition of Service Garage (Sec. 101) and the authority to permit accessory uses or structures (Sec. 230.11), and to amend site plan to allow for change in parking configuration.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney for Petitioner:  
Julius W. Lichter  
Steinberg, Lichter, Coleman & Rogers  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Attorney's Telephone No.: 321-0600

Legal Owner(s):  
C-F Properties Partnership  
(Type or Print Name)

Signature: \_\_\_\_\_

Address: \_\_\_\_\_  
City and State: \_\_\_\_\_

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:  
Jerome Fader, Partner  
9428 Reisterstown Road  
Garrison, Maryland 21055 363-6500

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of September, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29th day of October, 1984, at 10:00 o'clock A.M.

Cal Jahn  
Zoning Commissioner of Baltimore County.

REC-101 MICROFILMED (over)

RE: PETITION FOR SPECIAL HEARING: BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
SW/S of Reisterstown Rd., : OF BALTIMORE COUNTY  
1040' SE of the Centerline  
of Greenspring Valley Rd., :  
3rd District

C-F PROPERTIES PARTNERSHIP, Case No. 85-113-SPHA  
Petitioner

## ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 5th day of October, 1984, a copy of the foregoing Entry of Appearance was mailed to Julius W. Lichter, Esquire, Steinberg, Lichter, Coleman & Rogers, 113 Chesapeake Building, 305 W. Chesapeake Avenue, Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman  
Deputy People's Counsel

IN RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES  
SW/S of Reisterstown Road,  
1,040' SE of the centerline  
of Greenspring Valley Road -  
3rd Election District

C-F Properties Partnership,  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 85-113-SPHA

## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein seeks an interpretation from the Zoning Commissioner to permit the sale of used cars as an accessory use, permission to have an accessory structure for that purpose, and an amendment to the site plan approved in Case No. 84-50-X to reflect a change in the parking configuration and, additionally, variances to permit two signs, one to be 896 square feet instead of 442 square feet and one to be 196 square feet instead of 100 square feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Jerome Fader, a partner, appeared and was represented by Counsel. There were no Protestants.

Testimony indicated that the subject property, primarily zoned B.L. with some B.M., contains approximately seven acres and is located on Reisterstown Road. The Petitioner was previously granted a special exception for a service garage in Case No. 84-50-X to allow the leasing of automobiles. However, a used motor vehicle outdoor sales area separated from a sales agency building is not permitted in a B.L. Zone, although it is allowed by special exception in a B.R. Zone.

The Petitioner had previously been located about one mile north on Reisterstown Road from the present location on property zoned B.R. and had operated an automobile leasing operation and a used car sales area for automobiles

The Petitioner also requests variances to permit two multi-faced signs.

For many years, a Zoning Office policy permitted both sides of a multi-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign, such as the proposed two-sided, free-standing sign here, was computed to be 98 square feet on each side, past policy would have limited only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter of right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This long-standing policy does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations or statutes in the form of policy that have long continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied. Farber's, Inc. v. Comptroller of the Treasury of the State of Maryland, 266 Md. 44 (1972).

There is a strong presumption of the correctness of original zones and of comprehensive zoning. Howard County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPietro, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the

plain meaning. Catwood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 823, 65 A.2d 299, 302 (1949), "[a]dherence to the meaning of words does not require or permit isolation of words from their context...[since] the meaning of the plainest words in a statute may be controlled by the context... In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 59, (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

"Zoning regulations are in derogation of common law rights and they cannot be construed to include or to exclude by implication that which is not clearly within their express terms." Yokely, Zoning Law & Practice, Sections 1-4 and 25-8; Ispen Hill Venture v. Montgomery County, 265 Md. 303 (1972). Landay v. MacWilliams, 173 Md. 460 (1938) a/k/a Landay v. Bd. of Zoning Appeals. Zoning regulations must be strictly construed and cannot be extended by implication to prohibit uses not clearly within their scope. Gino's of Maryland, Inc. v. Baltimore, 250 Md. 621 (1968); McQuillin, Municipal Corp., Section 25.72.

an office for the used car sales operation as an accessory structure, and to amend the site plan approved in Case No. 84-50-X and relief from Section 413.2.b, c, and f to permit signs larger than otherwise allowed, pursuant to Section 307, BCZR.

After due consideration of the testimony, evidence, and legal arguments presented, it is determined that the proposed used car sales operation as described herein is accessory to the principal use of the automobile leasing operation and the proposed office space as shown on Petitioner's Exhibit 1 is an accessory structure. Additionally, the site plan in Case No. 84-50-X may be amended.

As for the variances, an area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

It is equally clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established

be submitted for approval to the Current Planning and Development Division.

cc: Julius W. Lichter, Esquire  
People's Counsel

Cal Jahn  
Zoning Commissioner of Baltimore County







**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: Red Date of Posting: 10-4-84  
 Posted for: Special Hearing and Variances  
 Petitioner: C-F Properties Partnership  
 Location of property: SW/S Reisterstown Rd., 10401 SE of the  
City of Greening Valley Road  
 Location of Sign: SW/S Reisterstown Rd. approx 12401  
SE of Greening Valley Road  
 Remarks:  
 Posted by: A. J. Jablon Date of return: 10-5-84  
 Number of Signs: 2

85-113-SPHA

**MICROFILMED**

**LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.**  
Westminster, Md., Oct. 11, 1984

THIS IS TO CERTIFY that the annexed Req. #163363, P.O. #59171 was published for...one (1)...successive weeks/days previous to the...11th...day of Oct., 19...84...in the

☐ Carroll County Times, a daily newspaper published in Westminster, Carroll County, Maryland.

☐ South Carroll Herald, a weekly newspaper published in Eldersburg, Carroll County, Maryland.

☒ Community Times, a weekly newspaper published in Reisterstown, Baltimore County, Maryland.

LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.  
Per A. J. Jablon  
**MICROFILMED**

**BALTIMORE COUNTY**  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21203  
494-5053

ARNOLD JABLON  
ZONING COMMISSIONER

October 22, 1984

Julius M. Lichter, Esquire  
113 Chesapeake Building  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing and Variances  
SW/S Reisterstown Rd., 10401 SE of c/l  
of Greening Valley Road  
C-F Properties Partnership - Petitioner  
Case No. 85-113-SPHA

Dear Mr. Lichter:

This is to advise you that \$74.65 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day before an Order is issued. Do not remove sign until day of hearing.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 10/22/84 ACCOUNT: R-01-613-000 rely,

AMOUNT: \$74.65

RECEIVED Allstate Leasing Corp. JUL JABLON  
FOR: Advertising and Posting Costs of Case No. 85-113-SPHA g Commissioner  
(C-F Properties Partnership)

6 D17\*\*\*\*\*746516 929df

VALIDATION OR SIGNATURE OF CASHIER

**MICROFILMED**

**LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.**  
Westminster, Md., Oct. 11, 1984

THIS IS TO CERTIFY that the annexed Req. #163363, P.O. #59171 was published for...one (1)...successive weeks/days previous to the...11th...day of Oct., 19...84...in the

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LANDMARK COMMUNITY NEWSPAPERS OF MARYLAND, INC.  
Per A. J. Jablon  
**MICROFILMED**

**"DUPLICATE"**  
**CERTIFICATE OF PUBLICATION**

TOWSON, MD., October 11, 1984

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 11, 1984.

THE JEFFERSONIAN,  
JB Ventral  
Publisher

Cost of Advertising 28.00  
85-113-SPHA

**CERTIFICATE OF PUBLICATION**

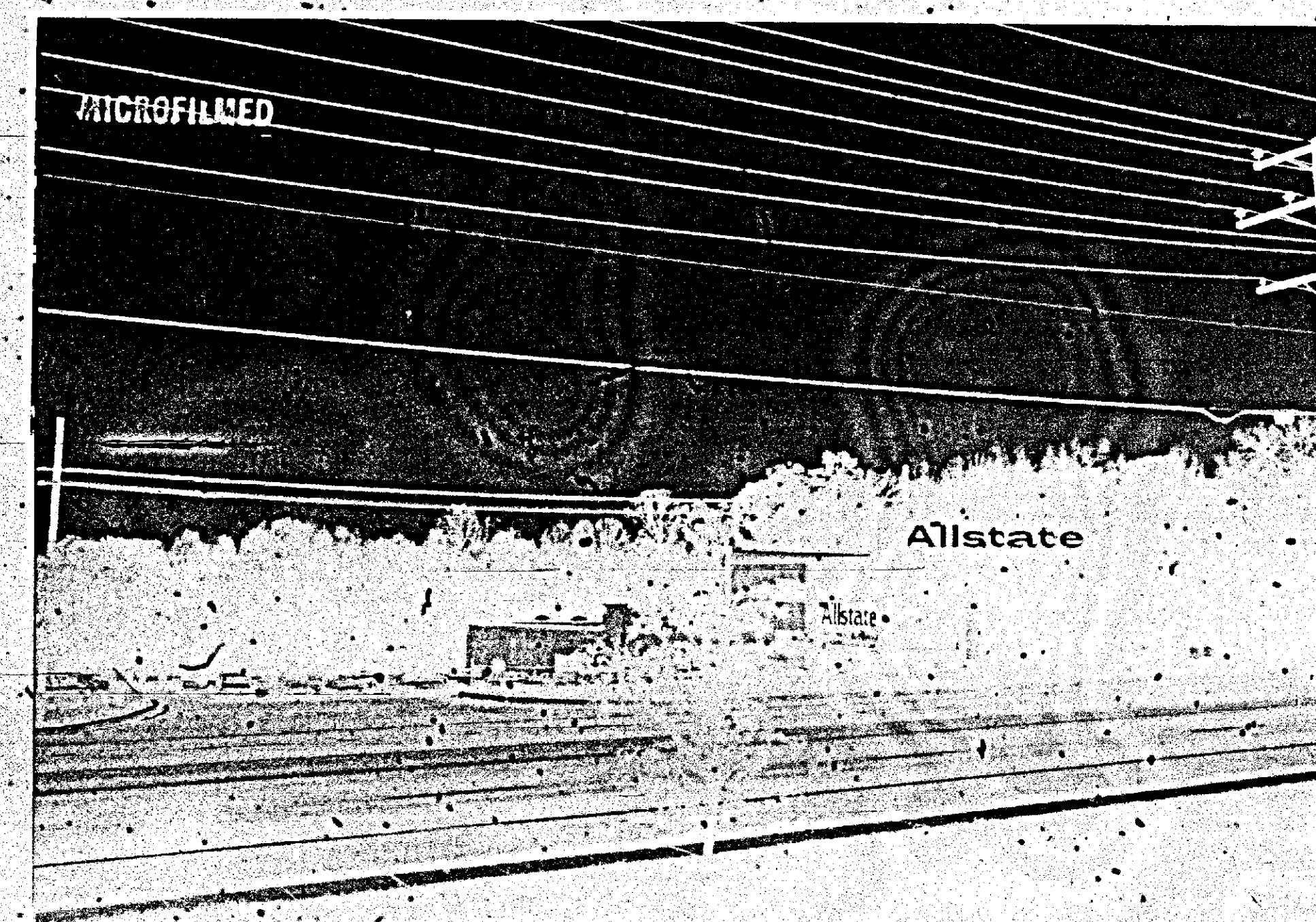
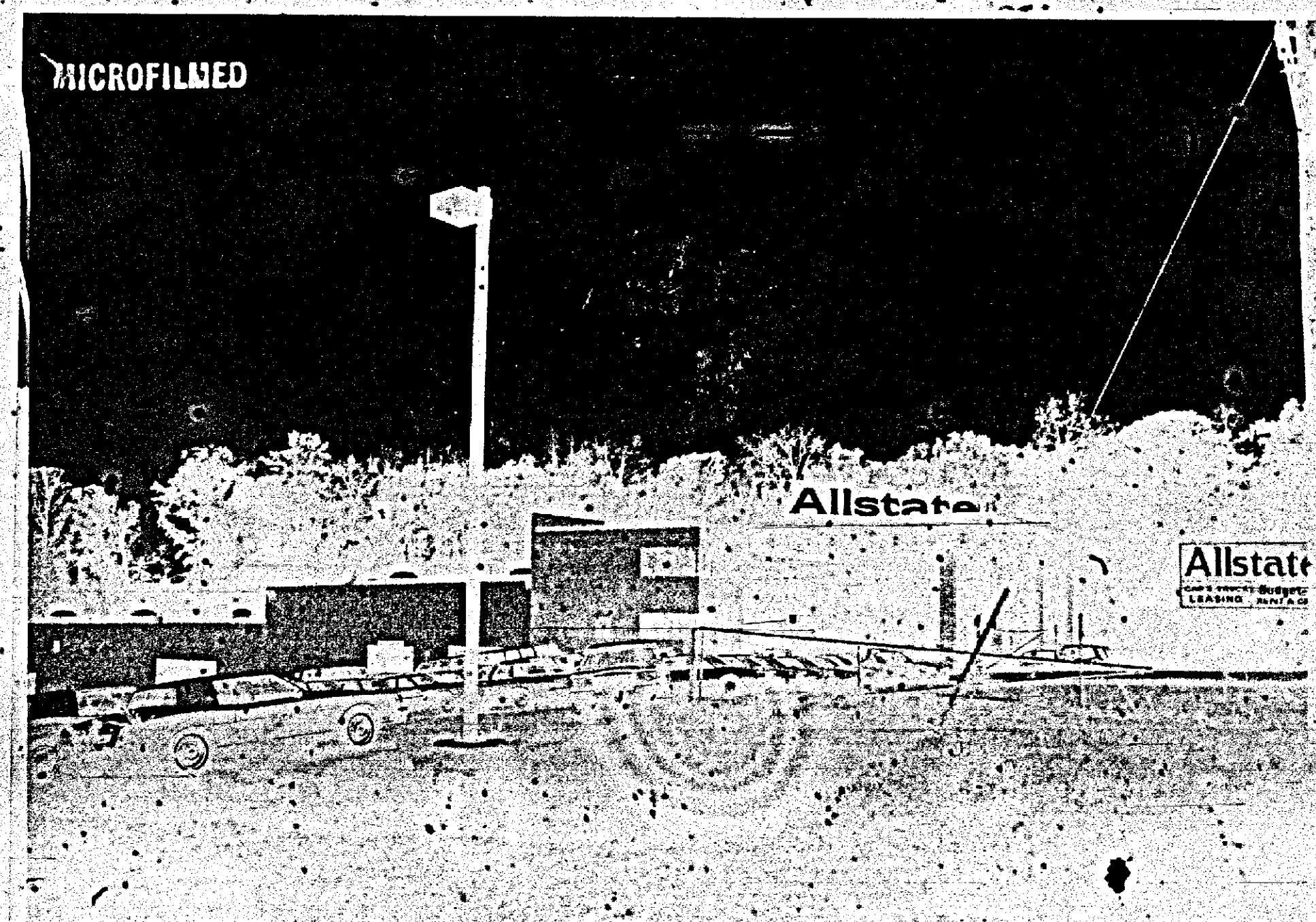
TOWSON, MD., October 11, 1984

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on October 11, 1984.

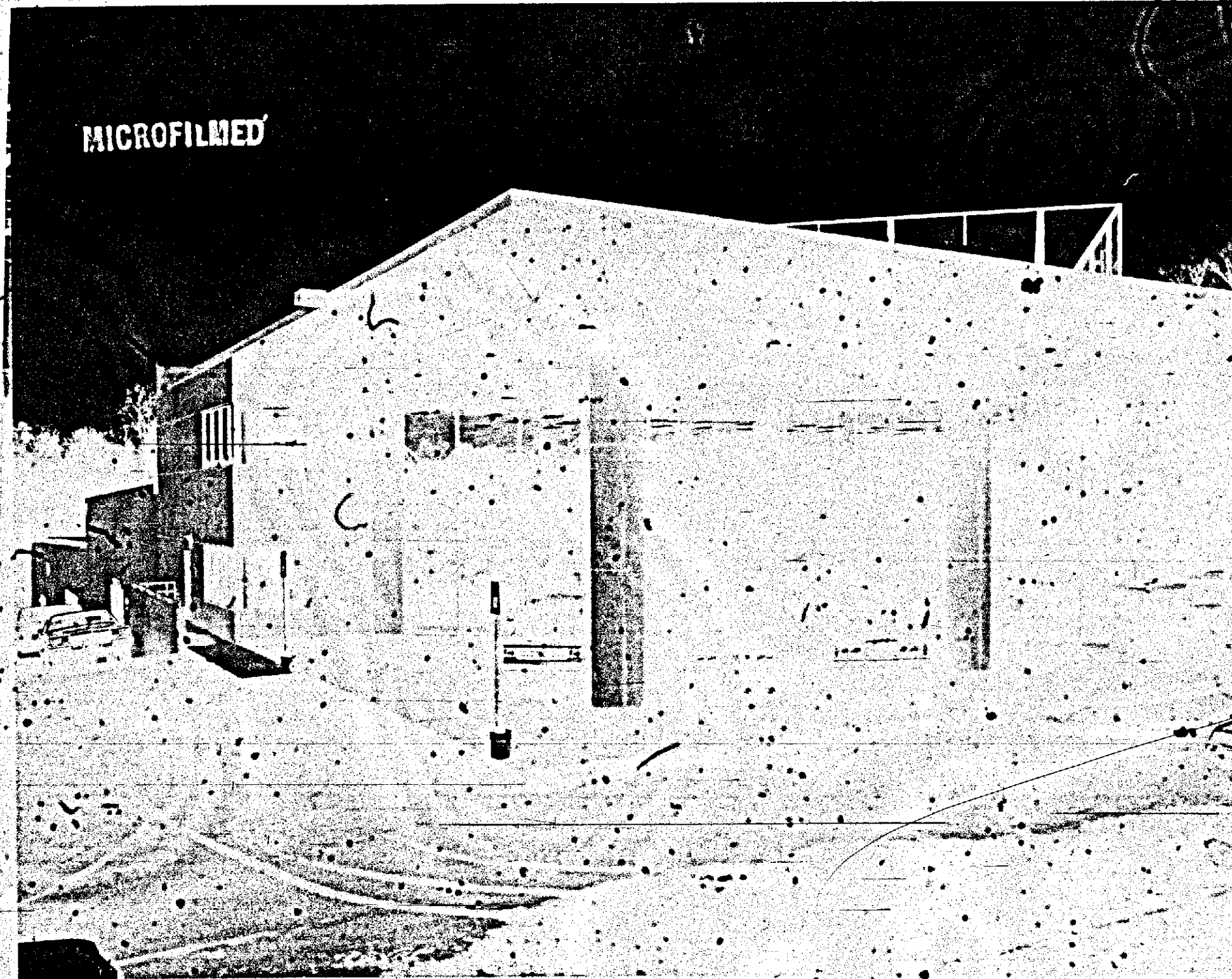
THE JEFFERSONIAN,  
JB Ventral  
Publisher

Cost of Advertising 28.00  
85-113-SPHA

**MICROFILMED**









# 85-11-A PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County, and which is described in the description and plat attached hereto and hereby petition for a Variance from Section 1852.3.B (211.3) to permit a side yard of 5 feet in lieu of the required 8 feet for a room addition and 400.1 to permit a pool outside the third of the lot farthest removed from both streets.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. A patio enclosure will provide additional living space for the family and to install a patio enclosure at any other location other than existing patio will create a physical hardship because the existing driveway will have to be greatly modified to allow adequate ingress and egress to the existing driveway than the enclosed patio.
2. The installation of a pool 50' x 12' deep in the designated backyard on 1/2 acre of land would be a physical hardship because of the proximity of the street. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) Donald C. Robinson

Signature: Signature

Address: Address

City and State: City and State

Attorney for Petitioner: Attorney for Petitioner

(Type or Print Name) (Type or Print Name)

Signature: Signature

Address: Address

City and State: City and State

Attorney's Telephone No.: Attorney's Telephone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 4th day

September 19, 84, the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of November, 1984, at 10:00 o'clock

AM.

Calvin John  
Zoning Commissioner of Baltimore County.

(over)

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

85-11-A

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 4th day of September, 1984.

ARNOLD JABLON  
Zoning Commissioner

Petitioner: Donald C. Robinson, et ux  
Petitioner's Attorney: Nicholas B. Commodari  
Received by: Nicholas B. Commodari  
Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 29, 1984

County Office Bldg.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Mr. & Mrs. Donald C. Robinson  
3205 Burnbrook Lane  
Baltimore, Maryland 21207

RE: Case No. 85-11-A (Item No. 53)  
Petitioner - Donald C. Robinson, et ux  
Variance Petition

Dear Mr. & Mrs. Robinson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc

Enclosures



HARRY J. PISTEL, P.E.  
DIRECTOR

September 27, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #53 (1984-1985)  
Property Owner: Donald C. Robinson, et ux  
575 cor. Burnbrook Rd. and Longhill Rd.  
Acres: 77.62/75 x 118.45/110  
District: 2nd

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General Comments:

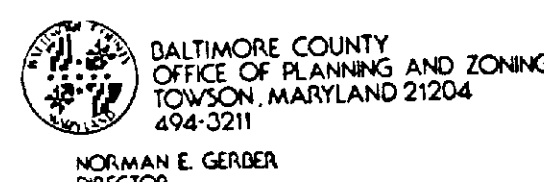
There is an existing 15-inch storm drain within the drainage and utility easement along the south property line of this lot.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,  
GILBERT S. BENSON, P.E., Asst. Chief  
Bureau of Public Services

GSB:EAM:ROP:iss



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

10-4-84

Re: Zoning Advisory Meeting of 9-4-84  
Item # 53  
Property Owner: Donald C. Robinson, et ux  
Location: 575 Burnbrook Rd. & Longhill Rd.

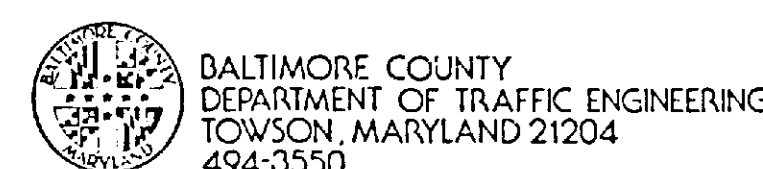
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) Parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board on
- ( ) Landscaping should be provided on this site and shown on the plan.
- ( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ( ) Additional comments:

Stephen A. Boer  
Chief, Current Planning and Development

cc: James Howell



STEPHEN E. COLLINS  
DIRECTOR

September 11, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 49, 51, 53, 54, 55, and 56 ZAC Meeting of September 4, 1984  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

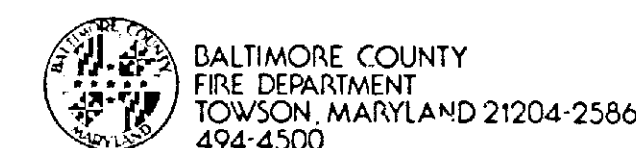
Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 49, 51, 53, 54, 55, and 56.

Michael S. Flexiden  
Traffic Engineering Assoc. II

MSE/cam



PAUL H. RENCKE  
CHIEF

September 10, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Donald C. Robinson, et ux

Location: SE/Cor. Burnbrook Road and Longhill Road

Item No.: 53 Zoning Agenda: Meeting of 9/4/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at

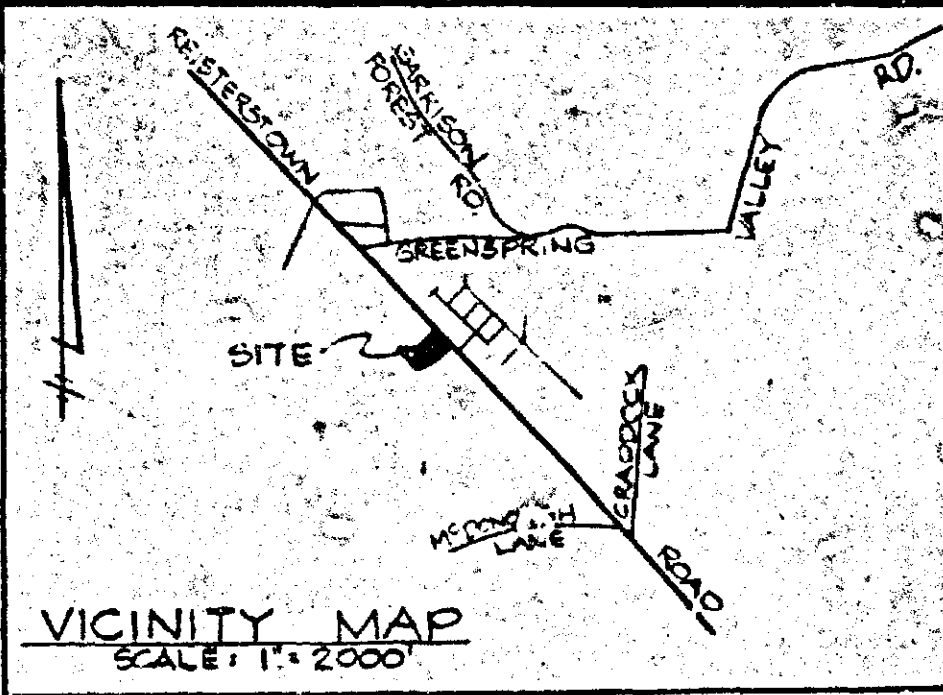
EXCEEDS the maximum allowed by the Fire Department.

- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: Paul H. Rencke, 9-10-84 Noted and Approved: George M. Kaganest  
Planning Group Fire Prevention Bureau  
Special Inspection Division

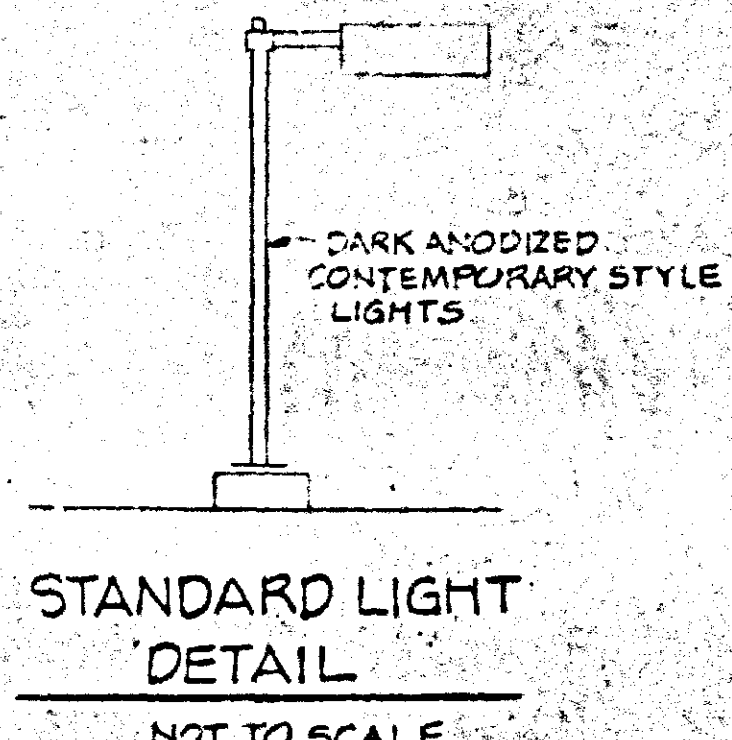
/mb





### NOTES & CALCULATIONS

1. TOTAL GROSS SITE AREA = 7.18 ACRES. TOTAL NET SITE AREA = 6.78 ACRES.
2. COUNCILMANIC DISTRICT = 3
3. CENSUS TRACT = 4037.02
4. WATERSHED # 27 & SUBWATERSHED # G5
5. DEED OF OWNERSHIP = E.H.K. JR. 5806/745, Property Number G312034910.
6. EX. ZONING = BL, W/ SOME BM-CMS, 02 & DR-1G & PROPERTY LINE VICINITY.
7. PARKING SPACES REQUIRED = 1 SPACE PER 200 SQ. FT. OF BUILDING = 32,500 SF. + 200 = 162.5 SPACES
8. PARKING SPACES PROPOSED = 276
9. HANDICAPPED PARKING SHOWN THUS: (5 SPACES REQ'D & PROVIDED)
10. OPEN SPACE NOT REQUIRED
11. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, HAZARDOUS MATERIALS SITES, HISTORIC BUILDINGS ON SITE.
12. ESTIMATED AVERAGE DAILY TRIPS (ADT) = 400
13. EXISTING GROUND COVER: WOODED
14. MAXIMUM BUILDING HEIGHT = 50'
15. LIGHTING STANDARDS SHOWN: ▲
16. AREA = 110,826 SF. = 2.500 AC. (6.78 NET AC)
17. BOUNDARY SHOWN HEREON TAKEN FROM PLAT ENTITLED 7.181 ACRES DATED SEPT. 1964 AND PREPARED BY ROBERT C. MORRIS.
18. GRADINGS SHOWN IS SCHEMATIC ONLY AND BASED UPON BALTIMORE COUNTY PHOTOGRAMMETRIC TOPOGRAPHY MAPS.



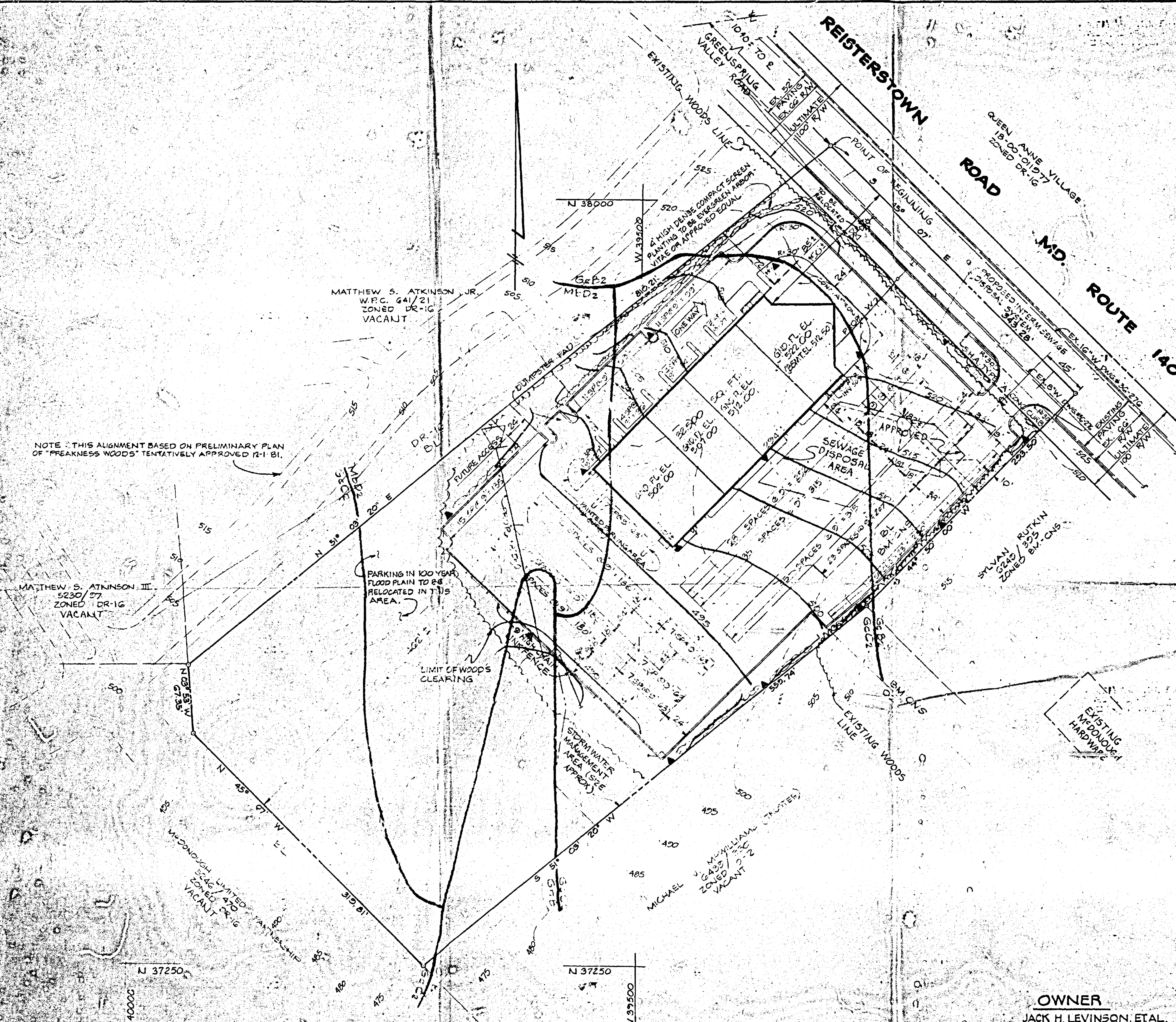
**SITE PLAN AND PLAT  
TO ACCOMPANY SPECIAL EXCEPTION  
ALLSTATE LEASING**  
3RD ELECTION DISTRICT BALTIMORE CO., MARYLAND  
SCALE: 1" = 50' JUNE 30, 1983  
REVISED: JULY 29, 1983

**OWNER**  
JACK H. LEVINSON, ETAL.  
6010 REISTERSTOWN ROAD  
BALTIMORE, MARYLAND 21215  
(301) 323-3500

**CONTRACT PURCHASER**  
C-F PROPERTIES PARTNERSHIP  
% ALLSTATE LEASING, INC.  
% LOU COHEN, PRESIDENT  
2808 REISTERSTOWN ROAD  
GARRISON, MARYLAND 21055  
(301) 363-6800

**SOIL LEGEND**  
GcB2 - GLENELG LOAM, 3 TO 5 PERCENT SLOPES  
MODERATELY ERODED  
MdB2 - MANOR LOAM 15 TO 25 PERCENT SLOPES  
MODERATELY ERODED  
GcC1 - GLENELG LOAM, 5 TO 15 PERCENT SLOPES  
MODERATELY ERODED  
GcD - GLENVILLE SILT LOAM 3 TO 5 PERCENT SLOPES

**ENGINEERS**  
**D.S. THALER & ASSOCIATES, INC.**  
11 WARREN ROAD  
BALTIMORE, MARYLAND 21206  
301-484-4100

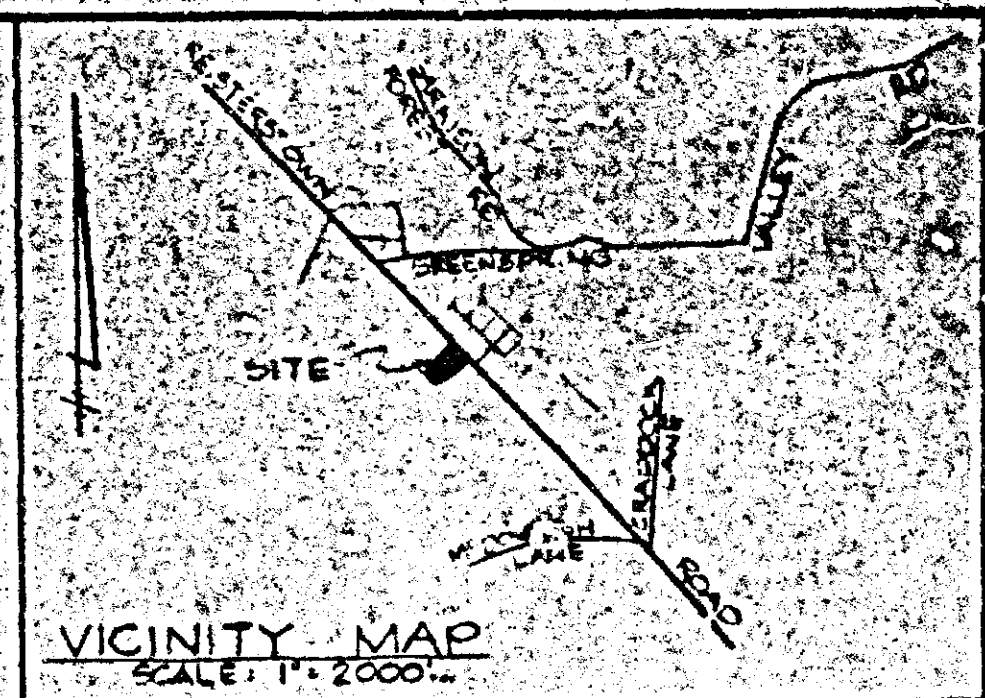


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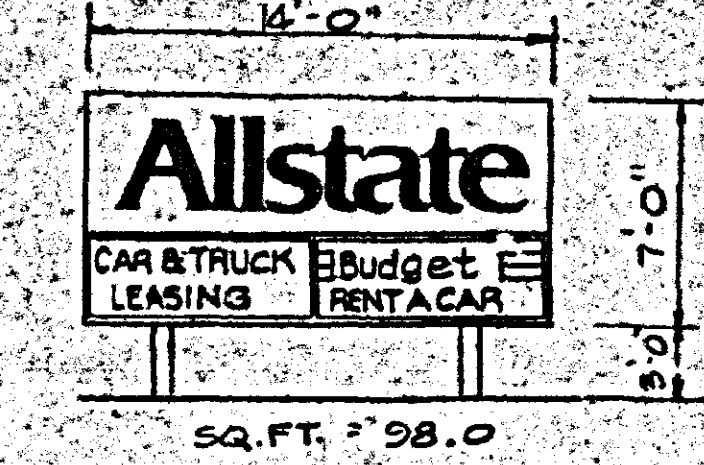
**PETITIONER  
EXHIBIT**



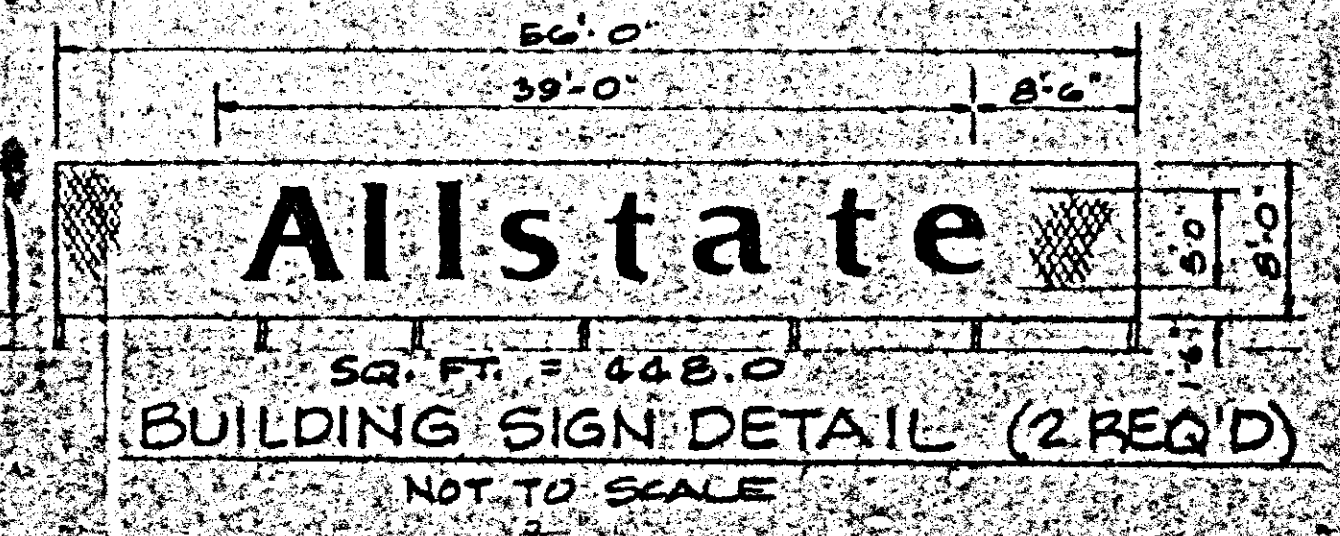


### NOTES & CALCULATIONS

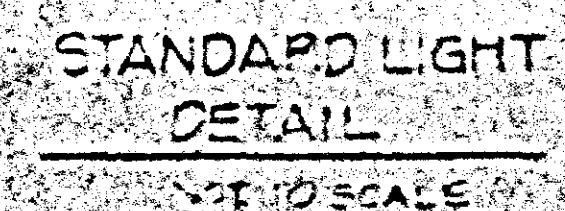
1. TOTAL GROSS SITE AREA: 7.18 ACRES TOTAL NET SITE AREA: 6.78 ACRES
2. COUNCILMANIC DISTRICT: 2
3. ZONING: 27
4. WATERSHED: 27 (SUBSEWERED: 25)
5. DEED OF OWNERSHIP: E.H.K. 17-5806, 745, Property Number: 7312-0312-0
6. EX. ZONING: B.U. w/ SOME B.M.C.M.S. 02 1 OR 16 3 PROPERTY LINE VICINITY: 1
7. PARKING SPACES REQUIRED: 1 SPACE PER 200 SQ. FT. OF BUILDING
8. 32,500 SF. + 200' 1/2" 2 SPACES
9. PARKING SPACES PROPOSED: 283
10. HANDICAPPED PARKING SPACES: 6 (5 SPACES REQ'D + PROVIDED)
11. OPEN SPACE: 10,000 SQ. FT.
12. THERE ARE NO CRITICAL AREAS, ARCHEOLOGICAL SITES, ENDEMIC SPECIES HABITATS, HAZARDOUS MATERIALS SITES, HISTORIC BUILDINGS ON SITE
13. ESTIMATED AVERAGE DAILY TRIPS (ADT): 400
14. EXISTING GROUND COVER: WOODED
15. MAXIMUM BUILDING HEIGHT: 50'
16. LIGHTING STANDARDS SHOWN: A
17. PREPARED BY: ROBERT G. NORRIS
18. GRADING SHOWN: SCHEMATIC ONLY AND BASED UPON BALTIMORE COUNTY HISTORICAL TOPOGRAPHY MAPS



ENTRANCE SIGN DETAIL (ONE REQ'D)  
NOT TO SCALE



BUILDING SIGN DETAIL (2 REQ'D)  
NOT TO SCALE



STANDARD LIGHT DETAIL  
NOT TO SCALE

**SITE PLAN AND PLAT**  
**TO ACCOMPANY PETITION FOR SPECIAL HEARING**  
**ALLSTATE LEASING**  
3RD ELECTION DISTRICT BALTIMORE CO. MARYLAND  
SCALE 1" = 50'  
AUG 28 1984

**OWNER**  
C.F. PROPERTIES PARTNERSHIP  
ALLSTATE LEASING, INC.  
% LOU COHEN, PRESIDENT  
9425 REISTERSTOWN ROAD  
BALTIMORE, MARYLAND 21255  
(301) 363-2500

### SOILS LEGEND

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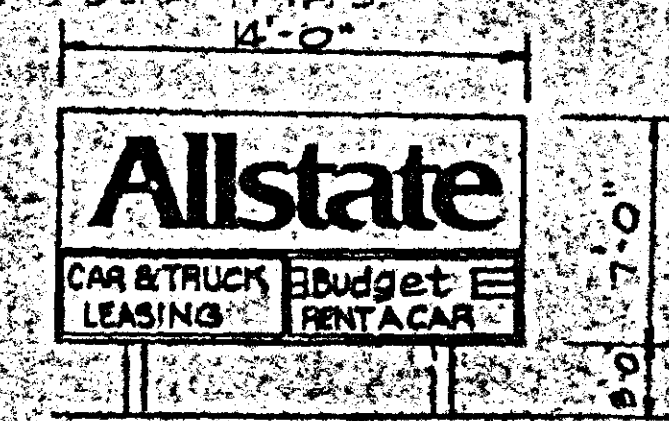
**ENGINEERS**  
**D.S. THALER & ASSOCIATES, INC.**  
1100 WARREN ROAD  
BALTIMORE, MARYLAND 21206  
(301) 464-4100



VICINITY MAP  
SCALE: 1" = 200'

# NOTES / CALCULATIONS

1. TOTAL GROSS SITE AREA: 7.18 ACRES TOTAL NET SITE AREA: 6.75 ACRES
2. COUNCILMANIC DISTRICT: 3
3. CENSUS TRACT: 4037.02
4. WATERSHED: 27 / SUBWATERSHED: 65
5. DEED OF OWNERSHIP: E.H.K. 5806/745 Property Number: C31021210
6. EXISTING ZONING: PL / W/ SOME B.M. C.M.S. 02 FOR 16' G. PROPERTY LINE VICINITY
7. PARKING SPACES REQUIRED: 1 SPACE PER 200 SQ. FT. OF BUILDING  
34,500 SF / 200 = 172.5 SPACES
8. PARKING SPACES PROPOSED: 283
9. HANDICAPPED PARKING SHOWN: 16 (16 SPACES REQ'D & PROVIDED)
10. OPEN SPACE: NOT FLOWN
11. THERE ARE NO HISTORICAL AREAS, ARCHEOLOGICAL SITES, ENDANGERED SPECIES HABITATS, PALAEONTOLOGICAL SITES, HISTORIC BUILDINGS ON SITE
12. ESTIMATED AVERAGE DAILY TRIPS (ADT): 400
13. EXISTING GROUND COVER: WOODED
14. MAXIMUM BUILDING HEIGHT: 50'
15. LIGHTING STANDARDS SHOWN: A
16. GREEN INVENTORY MAP DATED SEPT. 1982 AND PREPARED BY ROBERT C. NORRIS
17. SHOWN SCHEMATIC ONLY AND BASED UPON BALTIMORE COUNTY METROGRAPHIC MAPS



ENTRANCE SIGN DETAIL (ONE REQ'D)  
NOT TO SCALE



BUILDING SIGN DETAIL (2 REQ'D)  
NOT TO SCALE

STANDARD LIGHT  
DETAIL  
NOT TO SCALE

PETITIONER'S  
EXHIBIT

SITE PLAN AND PLAT  
TO ACCOMPANY PETITION FOR SPECIAL HEARING  
**ALLSTATE LEASING**  
3rd ELECTION DISTRICT BALTIMORE CO. MARYLAND  
SCALE: 1" = 50' AUG. 28, 1984

## SOIL LEGEND

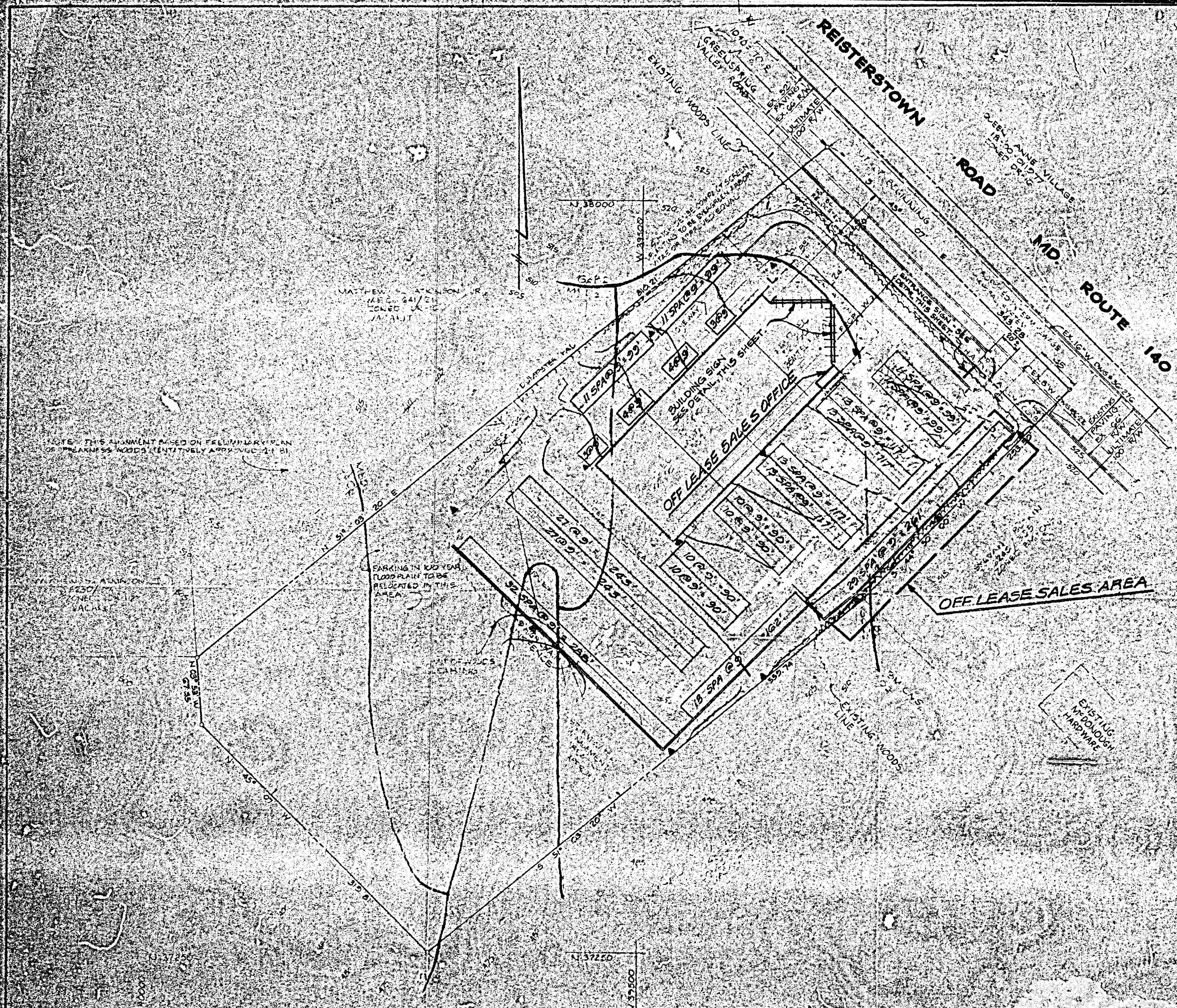
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## OWNER

C.F. PROPERTIES PARTNERSHIP  
ALLSTATE LEASING, INC.  
% LOU COHEN, PRESIDENT  
9425 REISTERSTOWN ROAD  
BALTIMORE, MARYLAND 21255  
(301) 363-6500

MICROFILMED

ENGINEERS  
**D.S. THALER & ASSOCIATES, INC.**  
111 WARREN ROAD  
BALTIMORE, MARYLAND 21206  
(301) 454-4100





Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:

returned after the lease agreement ended there. Upon purchase of the subject property, the Petitioner assumed that the same uses would be permitted and covered by the special exception granted in Case No. 84-50-X. The used car sales operation is not, and it is for this use that the Petitioner seeks relief.

The Petitioner argued that the used car sales operation is accessory to its leasing operation and should be permitted. The Petitioner leases about 1,500 to 1,800 cars per year for one to four years each. Approximately 75% of the cars are returned to the Petitioner after termination of the lease and about 25% are purchased by the lessees. Of the 75% returned, a majority are disposed of at auctions off site. The Petitioner does, however, select a few to sell from the site after appropriate reconditioning and inspecting. Based on past experience, the Petitioner estimates that no more than 200 cars per year would be sold from the site, an average of 15 to 20 vehicles per month. He, therefore, requests that 29 parking spaces be designated for such use. Of the gross volume of business conducted, only about 5% would comprise the retailing of these used vehicles. No vehicles other than those owned and rented by the Petitioner would be offered for sale. There would be no banners or signs advertising used cars for sale and no special identification. There would be no consumer hype normally associated with a used car sales operation. The proposed use would literally be an accessory function, i.e., customarily incident and subordinate to and serving a principal use; subordinate in area, extent, or purpose to the principal use; located on the same lot as the principal use; and contributing to the convenience or necessity of the business in the principal use served. See definition of "Accessory use or structure", Section 101, Baltimore County Zoning Regulation (BCZR). The proposed structure, attached to the main building, would serve as the office of the used car sales operation and would satisfy the same requirements cited above.

landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981). Section 413.2, BCZR, is clear and unambiguous.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished. Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Mitchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be "considered in its entirety, and in the context of the purpose underlying [its] enactment." Giant of Md. v. State's Attorney, 267 Md. 501 at 509, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Grosvenor v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its

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Only Section 413.2.e, BCZR, permits a multi-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Supervisor v. Southgate Harbor, 279 Md. 586 (1977). If all multi-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all multi-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higinbotham, 187 Md. 115. If after computation, the two sides of the multi-faced business sign exceed the permitted size as delineated by law, a variance shall be required.

The Petitioner requests an interpretation of Section 230.11, pursuant to Section 500.7, BCZR, to permit a used car sales operation as an accessory use,

that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of November, 1984, that the sale of used cars as an accessory use, the construction of an accessory structure for that purpose, and the amendment to the site plan approved in Case No. 84-50-X to reflect a change in the parking configuration are approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Zoning Variances to permit two multi-faced business signs, one to be 896 square feet instead of 442 square feet and one to be 196 square feet instead of 100 square feet, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. No more than 29 vehicles may be exhibited at any one time in connection with the retail used car sales operation. Twenty-nine parking spaces shall be designated for such vehicles.
2. No more than 220 used vehicles may be sold in any one calendar year.
3. The hours of operation for the retail used car sales operation shall be the same as those established by Case No. 84-50-X for the service garage.
4. No more than three employees shall be devoted to the retail used car sales operation.
5. A revised site plan showing the parking configuration for both the service garage and the accessory use shall

IN RE: PETITION FOR SPECIAL HEARING AND VARIANCES  
SW/S of Reisterstown Road,  
1,040' SE of the centerline  
of Greenspring Valley Road -  
3rd Election District  
C-F Properties Partnership,  
Petitioner

BEFORE THE  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 85-113-SPHA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein seeks an interpretation from the Zoning Commissioner to permit the sale of used cars as an accessory use, permission to have an accessory structure for that purpose, and an amendment to the site plan approved in Case No. 84-50-X to reflect a change in the parking configuration and, additionally, variances to permit two signs, one to be 896 square feet instead of 442 square feet and one to be 196 square feet instead of 100 square feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Jerome Fader, a partner, appeared and was represented by Counsel. There were no Protestants.

Testimony indicated that the subject property, primarily zoned B.L. with some B.M., contains approximately seven acres and is located on Reisterstown Road. The Petitioner was previously granted a special exception for a service vehicle outdoor sales area separated from a sales agency building is not permitted in a B.L. Zone, although it is allowed by special exception in a B.B. Zone. The Petitioner had previously been located about one mile north on Reisterstown Road from the present location on property zoned B.R. and had operated an automobile leasing operation and a used car sales area for automobiles

returned after the lease agreement ended there. Upon purchase of the subject property, the Petitioner assumed that the same uses would be permitted and covered by the special exception granted in Case No. 84-50-X. The used car sales operation is not, and it is for this use that the Petitioner seeks relief.

The Petitioner argued that the used car sales operation is accessory to its leasing operation and should be permitted. The Petitioner leases about 1,500 to 1,800 cars per year for one to four years each. Approximately 75% of the cars are returned to the Petitioner after termination of the lease and about 25% are purchased by the lessees. Of the 75% returned, a majority are disposed of at auctions off site. The Petitioner does, however, select a few to sell from the site after appropriate reconditioning and inspecting. Based on past experience, the Petitioner estimates that no more than 200 cars per year would be sold from the site, an average of 15 to 20 vehicles per month. He, therefore, requests that 29 parking spaces be designated for such use. Of the gross volume of business conducted, only about 5% would comprise the retailing of these used vehicles. No vehicles other than those owned and rented by the Petitioner would be offered for sale. There would be no banners or signs advertising used cars for sale and no special identification. There would be no consumer hype normally associated with a used car sales operation. The proposed use would literally be an accessory function, i.e., customarily incident and subordinate to and serving a principal use; subordinate in area, extent, or purpose to the principal use; located on the same lot as the principal use; and contributing to the convenience or necessity of the business in the principal use served. See definition of "Accessory use or structure", Section 101, Baltimore County Zoning Regulation (BCZR). The proposed structure, attached to the main building, would serve as the office of the used car sales operation and would satisfy the same requirements cited above.

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- 2 -

FEB 28 1985



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The Petitioner also requests variances to permit two multi-faced signs.

For many years, a Zoning Office policy permitted both sides of a multi-faced business sign to be computed as one for the purpose of determining the size permitted. If a business sign, such as the proposed two-sided, free-standing sign here, was computed to be 98 square feet on each side, past policy would have counted only one side. Section 413.2.f, BCZR, permits other business signs if limited to a total area of 100 square feet, and therefore, a sign such as described above would be permitted as a matter of right without the need for a variance. Of course, if both sides were counted for a total of 196 square feet, a variance would be required.

This long-standing policy does not comport to either the language or the intent of the BCZR. By their inherent nature, policies facilitate and improve the implementation of procedures, but they are equally subject to alteration, modification, or revision in accordance with the authority under which they are initially adopted. They may be used to interpret and/or to construe the law but cannot supplant or contradict the law. Official administrative interpretations of statutes in the form of policy that have long continued and unvaried application should not be disregarded except for the strongest reason. Hofmeister v. Frank Realty Co., 373 A.2d 273, 281 (1977). As long as the rules and regulations adopted by the administrative official are reasonable and consistent with the statute, they should be applied. Farber's, Inc. v. Comptroller of the Treasury of the State of Maryland, 266 Md. 44 (1972).

There is a strong presumption of the correctness of original zones and of comprehensive zoning. Ward County v. Dorsey, 438 A.2d 1339 (1982). There is a presumption of validity that must be accepted. Johnson & Wales College v. DiPete, 448 A.2d 1271 (R.I., 1982). When interpreting the zoning regulations, the restrictive language contained must be strictly construed so as to allow the

- 3 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
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landowner the least restrictive use of his property. Mayor of Balto. v. Byrd, 62 A.2d 588 (1948); Lake Adventure, Inc. v. Zoning Hearing Bd. of Dingham Township, 440 A.2d 1284 (Pa. Cmwlth., 1982). When the language of a zoning regulation is clear and certain, there is nothing left for interpretation and the ordinance must be interpreted literally. Mongony v. Bevilacqua, 432 A.2d 661 (R.I., 1981). Section 413.2, BCZR, is clear and unambiguous.

The meaning of the plainest words in a statute may be controlled by the context. A statute should be so construed that all its parts harmonize with each other and render them consistent with its general object and scope. Pittman v. Housing Authority, 25 A.2d 466.

The basic principles of statutory construction were comprehensively set out by the Court of Appeals in State v. Fabritz, 276 Md. 416 (1975), cert. denied, 425 U.S. 942 (1976):

The cardinal rule in the construction of statutes is to effectuate the real and actual intention of the Legislature. Purifoy v. Merc. Safe Dep. & Trust, 273 Md. 58, 327 A.2d 483 (1974); Scoville Serv., Inc. v. Comptroller, 269 Md. 390, 306 A.2d 534 (1973); Height v. State, 225 Md. 251, 170 A.2d 212 (1961). Equally well settled is the principle that statutes are to be construed reasonably with reference to the purpose to be accomplished, Walker v. Montgomery County, 244 Md. 98, 223 A.2d 181 (1966), and in light of the evils or mischief sought to be remedied, Witchell v. State, 115 Md. 360, 80 A.2d 1020 (1911); in other words, every statutory enactment must be "considered in its entirety, and in the context of the purpose underlying [its] enactment." Giant of Md. v. State's Attorney, 267 Md. 501 at 503, 298 A.2d 427, at 432 (1973). Of course, a statute should be construed according to the ordinary and natural import of its language, since it is the language of the statute which constitutes the primary source for determining the legislative intent. Groveson v. Supervisor of Assess., 271 Md. 232, 315 A.2d 758 (1974); Height v. State, supra. Where there is no ambiguity or obscurity in the language of a statute, there is usually no need to look elsewhere to ascertain the intention of the Legislature. Purifoy v. Merc. Safe Deposit & Trust, supra. Thus, where statutory language is plain and free from ambiguity and expresses a definite and sensible meaning, courts are not at liberty to disregard the natural import of words with a view towards making the statute express an intention which is different from its

- 4 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

plain meaning. Gatewood v. State, 244 Md. 609, 224 A.2d 677 (1966). On the other hand, as stated in Maguire v. State, 192 Md. 615, 623, 65 A.2d 299, 302 (1949), "[a]dherence to the meaning of words does not require or permit isolation of words from their context." [since] the meaning of the plainest words in a statute may be controlled by the context. . . . In construing statutes, therefore, results that are unreasonable, illogical or inconsistent with common sense should be avoided whenever possible consistent with the statutory language, with the real legislative intention prevailing over the intention indicated by the literal meaning. B. F. Saul Co. v. West End Park, 250 Md. 707, 246 A.2d 591 (1968); Sanza v. Md. Board of Censors, 245 Md. 319, 226 A.2d 317 (1967); Height v. State, supra.

In applying these principles to the BCZR, particularly Section 413.2, the conclusion is inescapable that under the plain wording of Section 413.2, the policy as described above is in conflict and therefore wrong.

The intent of the BCZR must be determined as being construed as a whole. See Smith v. Miller, 249 Md. 390. Thus, the specific language delineating the use regulations in Section 413, BCZR, must be construed in light of all of the provisions concerning signs so that the several parts of those regulations are given their intended effect. Moreover, the relationship between those various provisions regulating signs must be reconciled as a whole. See Smith, supra; Bowie Vol. Fire Depart. & Rescue Squad, Inc. v. Bd. of County Commissioners, 255 Md. 381; Anderson, American Law of Zoning, Section 16.08.

"Zoning regulations are in derogation of common law rights and they cannot be construed to include or to exclude by implication that which is not clearly within their express terms." Yokely, Zoning Law & Practice, Sections 1-4 and 25-8. Aspen Hill Venture v. Montgomery County, 265 Md. 303 (1972). Landy v. Mack, 173 Md. 460 (1938) a/k/a Landy v. Bd. of Zoning Appeals. Zoning regulations must be strictly construed and cannot be extended by implication to prohibit uses not clearly within their scope. Cino's of Maryland, Inc. v. Baltimore, 250 Md. 621 (1968); McQuillin, Municipal Corp., Section 25.72.

- 5 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

Only Section 413.2.e, BCZR, permits a multi-faced sign to be considered as one and that is limited to an identification sign for a shopping center or other interpreted group of stores or commercial buildings. The introductory language of Section 413.2 does not provide the right to treat all business signs alike. The language is not all inclusive nor all permissive. It provides a preamble to the section's intent and conditions any permission to place a business sign of a particular size in only those business or industrial zones permitted in subsequent subsections. If all of the subparagraphs of Section 413.2 are read and their intent interpreted as a whole, any such interpretation must conclude that the Baltimore County Council intended each face of a sign to be counted, except for shopping center identification signs. Section 413.5.a, BCZR, buttresses this clear and unequivocal reading, i.e., the size of any sign is computed by determining its surface area including the entire face or faces.

An ordinance should be construed "so that no word, clause, sentence, or phrase shall be rendered surplusage, superfluous, meaningless or nugatory." Supervisor v. Southgate Harbor, 279 Md. 586 (1977). If all multi-faced business signs were to be considered as one, the language of Section 413.2.e would be meaningless, or at the very least, superfluous.

The language of Section 413.2 is clear and unambiguous; therefore, the long-standing and customary application of the policy which considers all multi-faced business signs as one should be disregarded for the strongest and most urgent of reasons, i.e., the policy conflicts with the plain meaning of the statute. Smith v. Higinbotham, 187 Md. 115. If after computation, the two sides of the multi-faced business sign exceed the permitted size as delineated by the statute, a variance shall be required.

The Petitioner requests an interpretation of Section 230.11, pursuant to Section 500.7, BCZR, to permit a used car sales operation as an accessory use,

- 6 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

an office for the used car sales operation as an accessory structure, and to amend the site plan approved in Case No. 84-50-X and relief from Section 413.2.b, c, and f to permit signs larger than otherwise allowed, pursuant to Section 307, BCZR.

After due consideration of the testimony, evidence, and legal arguments presented, it is determined that the proposed used car sales operation as described herein is accessory to the principal use of the automobile leasing operation and the proposed office space as shown on Petitioner's Exhibit 1 is an accessory structure. Additionally, the site plan in Case No. 84-50-X may be amended.

As for the variances, an area variance may be granted where strict application of the zoning regulation would cause practical difficulty to the petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974). It is clear from the testimony that if the variances were granted, such use as proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public good.

It is equally clear that a practical difficulty or unreasonable hardship would result if the instant variances were not granted. It has been established

- 7 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
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that the requirement the Petitioner seeks relief from here would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing and variances requested should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 15th day of November, 1984, that the sale of used cars as an accessory use, the construction of an accessory structure for that purpose, and the amendment to the site plan approved in Case No. 84-50-X to reflect a change in the parking configuration are approved and, as such, the Petition for Special Hearing is hereby GRANTED and, additionally, the Petition for Zoning Variances to permit two multi-faced business signs, one to be 896 square feet instead of 442 square feet and one to be 196 square feet instead of 100 square feet, be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- No more than 29 vehicles may be exhibited at any one time in connection with the retail used car sales operation. Twenty-nine parking spaces shall be designated for such vehicles.
- No more than 220 used vehicles may be sold in any one calendar year.
- The hours of operation for the retail used car sales operation shall be the same as those established by Case No. 84-50-X for the service garage.
- No more than three employees shall be devoted to the retail used car sales operation.
- A revised site plan showing the parking configuration for both the service garage and the accessory use shall

- 8 -

ORDER RECEIVED FOR FILING  
DATE 11/15/84  
BY [Signature]  
ADMINISTRATIVE ASSISTANT

be submitted for approval to the Current Planning and Development Division.

cc: Julius W. Lichter, Esquire  
People's Counsel

[Signature]  
Zoning Commissioner of  
Baltimore County

- 9 -

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Date: October 16, 1984  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning  
C-F Properties Partnership  
SUBJECT: No. 85-113-Spf

In the matter for special hearing, this office offers no comment. However, unless the petitioner can show that because of sight distance, topography, etc. a sign of 100 square feet or less will be quite inadequate, this office is opposed to the granting of the requested variance. We believe the current sign regulations to be exceedingly liberal and are opposed to any additional sign contributing to the existing visual blight along any of our roadways.

[Signature]  
Norman E. Gerber, Director  
Office of Planning and Zoning

NES/JGR/sf

MICROFILMED



**APPLICATION FOR PERMIT**  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF THE BUILDING ENGINEER  
TOWSON, MARYLAND 21204

**Building Address:** 9428 Reisterstown Road  
**Owner Name:** Allstate Auto Leasing  
**Mailing Address:** 9428 Reisterstown Road  
**Contractor:** William Knott

**DATE:** 8/23/84  
**TIME:** 10:00 AM

**TYPE OF IMPROVEMENT:**  
1. ☐ NEW BUILDING CONSTRUCTION  
2. ☐ ADDITION  
3. ☐ ALTERATION  
4. ☐ REPAIR  
5. ☐ REMEDIATION  
6. ☐ OTHER

**C. TYPE OF USE:**  
1. ☐ RESIDENTIAL  
2. ☐ COMMERCIAL  
3. ☐ INDUSTRIAL  
4. ☐ OFFICE  
5. ☐ SCHOOL  
6. ☐ CHURCH  
7. ☐ OTHER

**D. TYPE OF CONSTRUCTION:**  
1. ☐ MASONRY  
2. ☐ WOOD FRAME  
3. ☐ CONCRETE  
4. ☐ METAL  
5. ☐ OTHER

**E. RESIDENTIAL ONLY:**  
1. ☐ SINGLE FAMILY UNITS  
2. ☐ MULTIFAMILY UNITS  
3. ☐ OTHER

**F. DIMENSIONS:**  
GARAGE: 12' x 12'  
BUILDING: 12' x 12'  
LOT: 12' x 12'

**G. NOTES:**  
1. ☐ IF HAVE CAREFULLY READ THE APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THE MORE ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH, WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

**Signature:** [Signature]  
**Date:** 8/23/84

**APPLICATION FOR PERMIT**  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF THE BUILDING ENGINEER  
TOWSON, MARYLAND 21204

**Building Address:** 9428 Reisterstown Road  
**Owner Name:** Allstate Auto Leasing  
**Mailing Address:** 9428 Reisterstown Rd., Garrison, Md. 21055  
**Contractor:** Connolly Sign Co., Inc.

**DATE:** 8/23/84  
**TIME:** 10:00 AM

**TYPE OF IMPROVEMENT:**  
1. ☐ NEW BUILDING CONSTRUCTION  
2. ☐ ADDITION  
3. ☐ ALTERATION  
4. ☐ REPAIR  
5. ☐ REMEDIATION  
6. ☐ OTHER

**C. TYPE OF USE:**  
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**D. TYPE OF CONSTRUCTION:**  
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1. ☐ SINGLE FAMILY UNITS  
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**F. DIMENSIONS:**  
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**G. NOTES:**  
1. ☐ IF HAVE CAREFULLY READ THE APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE, AND THAT IN DOING THE MORE ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH, WHETHER HEREIN SPECIFIED OR NOT, AND WILL REQUEST ALL REQUIRED INSPECTIONS.

**Signature:** [Signature]  
**Date:** 8/23/84

**PETITION FOR SPECIAL HEARING AND VARIANCES**  
3rd Election District

**LOCATION:** Southwest side of Reisterstown Road, 1040 feet Southeast of the centerline of Greenspring Valley Road

**DATE AND TIME:** Monday, October 29, 1984 at 10:00 a.m.

**PUBLIC HEARING:** Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to Case No. 84-50-X to permit the sale of used cars which have been leased pursuant to the principal use for automobile rental as an accessory use thereto under the definition of Service Garage and the authority to permit accessory uses or structures and to amend the site plan to allow for change in parking configuration and Variances to permit 896 square feet of signage in lieu of 442 square feet and to permit 196 square feet of signage in lieu of 100 square feet (two sided sign 7 feet x 14 feet).

Being the property of C-F Properties Partnership as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

**Signature:** [Signature]  
**Date:** 8/23/84

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**  
October 18, 1984

**Julius W. Lichter, Esquire**  
Steinberg, Lichter, Coleman & Rogers  
113 Chesapeake Building  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

**RE: Case No. 85-113-SPHA (Item No. 59)**  
Petitioner - C-F Properties Partnership  
Special Hearing & Variance Petition

**Dear Mr. Lichter:**

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
[Signature]  
NICHOLAS B. CONNODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bsc  
Enclosures

cc: D.S. Thaler & Assoc., Inc.  
11 Warren Road  
Baltimore, Maryland 21208

**BALTIMORE COUNTY**  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

**HARRY J. PISTEL, P.E.**  
DIRECTOR

**October 11, 1984**

**Mr. Arnold Jablon**  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

**Re: Item #59 (1984-1985)**  
Property Owner: C-F Properties Partnership  
5/10 Reisterstown Road 1040' S/E from center-line Greenspring Valley Rd.  
Acres: 7.181  
District: 3rd

**Dear Mr. Jablon:**

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

**General Comments:**

The Subdivision Review Comments, dated July 26, 1983 (copy attached), which were issued for the Allstate Leasing site still apply, with the following revisions:

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year, 10-year and 100-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1984 Baltimore County Storm Water Management Policy and Design Manual adopted September 11, 1984.

Very truly yours,  
[Signature]  
JAMES A. MARKLE, P.E., Chief  
Bureau of Public Services

JAM:EM:PM:188  
Encl. 2

**BALTIMORE COUNTY, MARYLAND**

**SUBJECT:** SUBDIVISION REVIEW COMMENTS  
**DATE:** July 26, 1983

**FROM:** Edward A. McDonough, P.E., Chief  
Developers Engineering Division

**PROJECT NAME:** Allstate Leasing  
**PROJECT NUMBER:** #83099  
**LOCATION:** W/S of Reisterstown Road, S. of Greenspring Valley Road  
**DISTRICT:** 3C3

The Plan for the subject site, dated June 30, 1983, has been reviewed by the Developers Engineering Division and we comment as follows:

**GENERAL COMMENTS:**

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Plan is not acceptable due to non-conformance with storm drain requirements.

**HIGHWAY COMMENTS:**

As no County roads are involved, this office has no comment.

In accordance with Bill No. 32-72, street lights are required in all developments. The Developer will be responsible for the full costs of installation of the cable, poles and fixtures.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line.

**STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:**

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The developer's cost responsibilities include the securing of easements and rights-of-way - both onsite and offsite - and the deeding in fee to the County, said rights-of-way. Preparation of all construction, rights-of-way and easement drawings, engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

**Project #83099**  
Allstate Leasing  
Page 2  
July 26, 1983

**STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)**

Onsite drainage facilities serving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1"=100', including all facilities and drainage areas involved, shall be shown on the required construction plans.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies and storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 10-77) a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer shall be responsible to stabilize the sidewalk areas and supporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (with Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1982 Baltimore County Storm Water Management Policy and Design Manual adopted January 17, 1983.

In accordance with Bill No. 56-82, filling within a flood plain is prohibited.

**Project #83099**  
Allstate Leasing  
Page 3  
July 26, 1983

**WATER AND SANITARY SEWER COMMENTS:**

The Developer is responsible for any deficit to be incurred by the construction, under County contract and inspection, of public water main extensions required to serve this property. He is responsible for the preparation and the cost of construction drawings and right-of-way plats required. He is further responsible for conveying any required right-of-way to Baltimore County at no cost to the County.

Water mains outside of public rights-of-way serving a proposed site improvement are considered private and shall be the Developer's full responsibility for construction and maintenance.

Onsite private water mains with fire hydrants shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards. Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

This property is subject to a Water System Connection Charge based on the size of water meter utilized.

The total Water System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Public sewers are not available to serve this property; therefore, private sewage systems must be provided. Soil tests must be conducted in accordance with Department of Health requirements.

**Signature:** [Signature]  
EDWARD A. MCDONOUGH, P.E., Chief  
Developers Engineering Division

EM:PM:188  
cc: File





William K. Hellmann  
Secretary  
Hal Kassoff  
Administrator

September 17, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Attn: Mr. N. Commodari

Re: ZAC Meeting of 9/11/84  
ITEM: #59.  
Property Owner: C-F  
Properties Partnership  
Location: SE/S Reisterstown  
Road, Route 140, 1040' S/E  
from c/l Greenspring Valley  
Road  
Existing Zoning: B.L., B.M.,  
CNS, O-2 & D.R. 16  
Proposed Zoning: Special  
Hearing to approve an amend-  
ment to Case No. 84-50-X  
to permit sale of used cars  
which have been leased pur-  
suant to the principal use  
for automobile rental as an  
accessory use thereto under  
the definition of Service  
Garage and the authority  
to permit accessory uses or  
structures and to amend site  
plan to allow for change in  
parking configuration.  
Variance to permit 896 sq.  
ft. of signage in lieu of  
the required 442 sq. ft. of  
the required 196 sq. ft. of  
signage in lieu of the  
required 100 sq. ft.  
(two sided sign 7' x 14').

MICROFILMED

My telephone number is (301) 659-1350

Telephone for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
P.O. Box 717/707 North Calvert St., Baltimore, Maryland 21203-0717

Mr. A. Jablon

-2-

September 17, 1984

Acres: 7.181  
District: 3rd

Dear Mr. Jablon:

On review of the site plan of August 28, 1984 and field  
inspection, the State Highway Administration finds the plan  
generally acceptable.

Very truly yours,

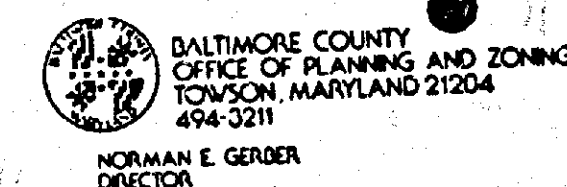
Charles Lee, Chief  
Bureau of Engineering  
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

MICROFILMED



Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 9-11-84  
Item # 59  
Property Owner: C-F Partnership  
Location: SE/S Reisterstown Rd.  
S/E of Greenspring Valley Rd.

Dear Mr. Jablon:

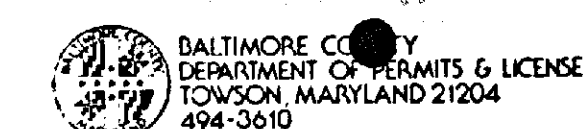
The Division of Current Planning and Development has reviewed the subject  
petition and offers the following comments. The items checked below are  
applicable.

- ( ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) A County Review Group meeting was held and the minutes will be  
forwarded by the Bureau of Public Services.
- ( ) This site is part of a larger tract; therefore it is defined as a  
subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior  
to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The circulation on this site is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) The parking arrangement must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and  
development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited  
under the provisions of Section 22-98 of the Development  
Regulations.
- ( ) Development of this site may constitute a potential conflict with  
the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board  
on 9/11/84.
- ( ) Landscaping should be provided on this site and shown on the plan.
- ( ) The property is located in a deficient service area as defined by  
Bill 178-79; no building permit may be issued until a Reserve  
Capacity Use Certificate has been issued. The deficient service  
is in the SE/S Reisterstown Rd. S/E of Greenspring Valley Rd.  
intersection as defined by Bill 178-79, and as conditions change  
traffic capacity may become more limited. The Basic Services Areas  
are re-evaluated annually by the County Council.
- ( ) Additional comments:  
She should designate customer parking area.

MICROFILMED

Eugene A. Boser  
Chief, Current Planning and Development

cc: James Howell



Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 59 Zoning Advisory Committee Meeting are as follows:

Property Owner: C-F Properties Partnership  
Location: SW/S Reisterstown Road, 1040' S/E from c/l Greenspring Valley Road  
Existing Zoning: B.L., B.M., CNS, O-2 & D.R. 16  
Proposed Zoning: Special hearing to approve an amendment to Case No. 84-50-X.

Acres: 7.181  
District: 3rd.

The items checked below are applicable:

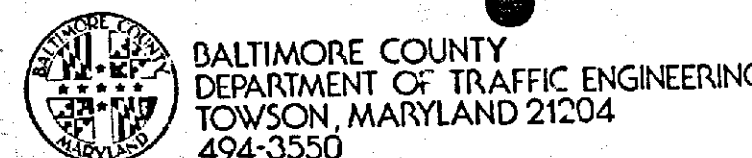
- ( ) All structures shall conform to the Baltimore County Building Code 1961/Council  
Bill 14-2 State of Maryland Code for the Building and Appliance and other appli-  
cable Codes.
- ( ) A building or other structure shall be required before beginning construction.
- ( ) Residential: Three sets of construction drawings are required to file a permit  
application. Architect/Engineer seal is not required. Non-reproduced seals  
and signatures are required on Plans and Technical Data.
- ( ) Commercial: Three sets of construction drawings with a Maryland Registered  
Architect or Engineer shall be required to file a permit application.
- ( ) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two  
Family use group of an adjacent lot line shall be of one hour fire resistance  
construction; no openings permitted within 3'0" of lot lines. A fire wall is  
required if construction is on the lot line, see Table 101, line 2, Section  
3107 and Table 1102, also Section 503.2.
- ( ) Requested variance appears to conform with the Baltimore County Building Code,  
Section 5.
- ( ) A change of occupancy shall be applied for, along with an alteration permit  
application, and three required sets of drawings indicating how the structure  
will meet the Code requirements for the proposed change. Drawings may require  
a professional seal.
- ( ) Before this office can comment on the above structure, please have the owner,  
thru the services of a Registered in Maryland Architect or Engineer certify to  
this office, that the structure for which a proposed change in use is proposed  
conforms with the height/area requirements of Table 505 and the required con-  
struction classification of Table 101.
- ( ) Comments - If this structure is used for motor vehicle repair (major repairs)  
then it shall not be used for another purpose, unless, separated by a  
3 hour fire wall separation. See Section 515.0. See also Section 312.2  
about incidental versus mixed uses.

NOTE: These comments reflect only on the information provided by the drawings sub-  
mitted to the office of Planning and Zoning and are not intended to be com-  
pleted as the full extent of any permit. If desired, additional information  
may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,  
Towson.

Very truly yours,  
Charles E. Burbanck, Chief  
Plans Review

MICROFILMED

cc: James Howell



STEPHEN E. COLLINS  
DIRECTOR

September 12, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 59 -ZAC Meeting of September 11, 1984  
Property Owner: C-F Properties Partnership  
Location: SW/S Reisterstown Road 1040' S/E from c/l Greenspring Valley  
Existing Zoning: B.L., B.M., CNS, O-2 & D.R. 16  
Proposed Zoning: SEE C.R.G. COMMENTS

Acres: 7.181  
District: 3rd

Dear Mr. Jablon:

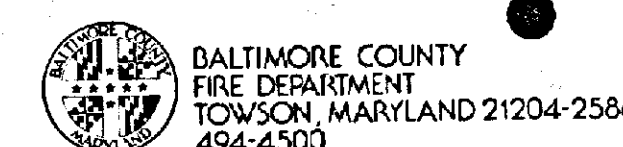
The parking on this site is not being used as shown on the plan.

The plan must be revised to show the parking as it is to be used,  
and show all features including the gas pump island.

Michael S. Flanagan  
Traffic Engineering Assoc. II

MSE/can

MICROFILMED



PAUL H. REINCKE  
CHIEF

September 27, 1984

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: C-F Properties Partnership

Location: SW/S Reisterstown Rd. 1040' S/E from c/l Greenspring Valley Rd.

Item No.: 59 Zoning Agenda: Meeting of 9/11/84

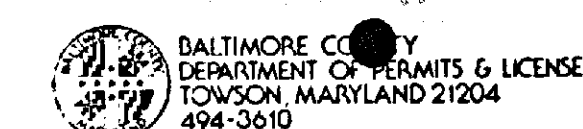
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this  
Bureau and the comments below marked with an "x" are applicable and required  
to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be  
located at intervals or feet along an approved road in  
accordance with Baltimore County Standards as published by the  
Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at  
EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the  
Fire Prevention Code prior to occupancy or beginning of operation.
- ( ) 5. The buildings and structures existing or proposed on the site shall  
comply with all applicable requirements of the National Fire Protection  
Association Standard No. 101 "Life Safety Code", 1976 Edition prior  
to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- (x) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: [Signature] Noted and Approved: [Signature]  
Planning Group Fire Prevention Bureau  
Special Inspection Division  
/mb

MICROFILMED



Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 59 Zoning Advisory Committee Meeting are as follows:

Property Owner: C-F Properties Partnership  
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struction classification of Table 101.
- ( ) Comments - If this structure is used for motor vehicle repair (major repairs)  
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about incidental versus mixed uses.

NOTE: These comments reflect only on the information provided by the drawings sub-  
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may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave.,  
Towson.

Very truly yours,  
Charles E. Burbanck, Chief  
Plans Review

MICROFILMED

cc: James Howell

55-113-572A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
11th day of September, 1984.

ARNOLD JABLON  
Zoning Commissioner

Petitioner: C-F Properties Partnership Received by: [Signature]  
Petitioner's Attorney: [Signature] Chairman, Zoning Plans  
Advisory Committee

55-113-572A

C-F Prop 10/19/84 10/10

John Lichten, Esq.  
James Fale  
No facts

AL - you - 84-50-X, variance 3 - debris (leg.)  
that came into directly reached by fire -  
had raised signs that a small sign  
debris & debris was reported a  
debris the -

minimum sale of used cars - not large 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - 22 - 23 - 24 - 25 - 26 - 27 - 28 - 29 - 30 - 31 - 32 - 33 - 34 - 35 - 36 - 37 - 38 - 39 - 40 - 41 - 42 - 43 - 44 - 45 - 46 - 47 - 48 - 49 - 50 - 51 - 52 - 53 - 54 - 55 - 56 - 57 - 58 - 59 - 60 - 61 - 62 - 63 - 64 - 65 - 66 - 67 - 68 - 69 - 70 - 71 - 72 - 73 - 74 - 75 - 76 - 77 - 78 - 79 - 80 - 81 - 82 - 83 - 84 - 85 - 86 - 87 - 88 - 89 - 90 - 91 - 92 - 93 - 94 - 95 - 96 - 97 - 98 - 99 - 100 - 101 - 102 - 103 - 104 - 105 - 106 - 107 - 108 - 109 - 110 - 111 - 112 - 113 - 114 - 115 - 116 - 117 - 118 - 119 - 120 - 121 - 122 - 123 - 124 - 125 - 126 - 127 - 128 - 129 - 130 - 131 - 132 - 133 - 134 - 135 - 136 - 137 - 138 - 139 - 140 - 141 - 142 - 143 - 144 - 145 - 146 - 147 - 148 - 149 - 150 - 151 - 152 - 153 - 154 - 155 - 156 - 157 - 158 - 159 - 160 - 161 - 162 - 163 - 164 - 165 - 166 - 167 - 168 - 169 - 170 - 171 - 172 - 173 - 174 - 175 - 176 - 177 - 178 - 179 - 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